

REMARKS

Claims 1-3, 6-9, 11-15, 19-30 and 77-117 are pending in the present application. In the Office Action dated December 3, 2004 the Examiner rejected claims 1-3, 6-9, 11-15, 19-30 and 77-117 as being based upon a defective reissue declaration under 35 U.S.C. 251.

As a preliminary matter, the Examiner has stated that the original patent, or a statement as to loss or inaccessibility of the original patent must be received before the reissue application can be allowed. The Offer to Surrender Original Patent was submitted with the Response to Notice to File Missing Parts of Reissue Application on May 14, 2002, received by the USPTO on May 31, 2002. A copy of the Offer to Surrender Original Patent is enclosed with this response. The USPTO records also indicated that the original patent has been received. This is indicated by the Artifact Sheet dated September 2, 2004, which can be viewed on the PAIR system, and is enclosed with this response.

The Examiner has found that the supplemental declaration filed on November 18, 2004 to be defective, and requires a statement in the supplemental declaration that the all errors not covered by a previous declaration arose without deceptive intent. In response, Applicants are also enclosing a new supplemental reissue declaration that includes a statement that “[a]ll errors which are being corrected in the present reissue application up to the time of filing of this declaration arose without any deceptive intention on the part of the applicants.” Accordingly, the rejection under 35 U.S.C. 251 should be withdrawn.

All of the claims remaining in the application are now clearly allowable.
Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,
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Enclosures:

- Postcard
- Check
- Fee Transmittal Sheet (+ copy)
- Supplemental Reissue Declaration
- Copy of Artifact Sheet
- Copy of Offer to Surrender Original Patent

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10 / 054692 ZA

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U.S. PATENT

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EXPRESS MAIL NO. EL 872037758 US

Application No. 10/054,692

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reissue Patent Application:

Applicants : Trung T. Doan and Gurtej S. Sandhu
Assignee: : Micron Technology, Inc.
Filed : December 19, 2001
For : POLISHING PAD REFURBISHER FOR IN SITU, REAL-TIME
CONDITIONING AND CLEANING OF A POLISHING PAD USED
IN CHEMICAL-MECHANICAL POLISHING OF
MICROELECTRONIC SUBSTRATES
Docket No. : 500300.02

Corresponding Issued U.S. Patent:

Patent No. : 6,004,196
Issued : December 21, 1999
Application No. : 09/032,230
Filing Date : February 27, 1998
Examiner : William Hong
Art Unit : 3725

BOX REISSUE
Commissioner for Patents
Washington, DC 20231

OFFER TO SURRENDER THE ORIGINAL PATENT

Sir:

Michael L. Lynch, Chief Patent Counsel of the Assignee of the entire interest in U.S. Letters Patent No. 6,004,196 which is entitled POLISHING PAD REFURBISHER FOR IN SITU, REAL-TIME CONDITIONING AND CLEANING OF A POLISHING PAD USED IN CHEMICAL-MECHANICAL POLISHING OF MICROELECTRONIC SUBSTRATES and

issued on December 21, 1999, to Micron Technology, Inc., hereby offers to surrender said Letters Patent.

Micron Technology, Inc.

Date

By: _____


Roderic W. Lewis
Vice President, Legal, General Counsel
and Corporate Secretary

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